

Attorney Docket No.: DEX0489US.NP
Inventors: Duan et al.
Serial No.: Not yet assigned
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This listing of the claims will replace all prior versions and listings of claims in the application:

Listing of the claims:

Claim 1 (original): A method for assessing risk of prostate cancer in a patient which comprises measuring levels of both Cln101 and Prostate Specific Antigen (PSA) in the patient, analyzing a risk associated with the level of PSA and a risk associated with the level of Cln101, and using the combined risks to assess the risk of prostate cancer in the patient.

Claims 2-7 (canceled)

Claim 8 (original): A method for assessing risk of ovarian cancer in a patient which comprises measuring levels of Cln101 in the patient to assess the risk of ovarian cancer in the patient.

Claim 9 (currently amended): ~~A method for assessing risk of ovarian cancer in a patient which comprises~~ The method of claim 8 further comprising measuring levels of ~~both Cln101 and~~ CA125 in the patient, analyzing a risk associated with the level of CA125 and a risk associated with the level of Cln101, and using the combined risks to assess the risk of ovarian cancer in the patient.

Claim 10-19 (canceled)

Claim 20 (currently amended): A kit for diagnosing a patient's susceptibility to prostate cancer or ovarian

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cancer comprising ~~both~~ a suitable assay for measuring Cln101 levels ~~and a suitable assay for measuring Prostate Specific Antigen (PSA) levels~~ wherein the levels of ~~both~~ PSA and Cln101 are determined.

Claim 21 (canceled)

Claim 22 (currently amended): ~~A kit for diagnosing a patient's susceptibility to ovarian cancer~~ The kit of claim 20 for diagnosing a patient's susceptibility to ovarian cancer further comprising ~~both a suitable assay for measuring Cln101 levels and~~ a suitable assay for measuring CA125 levels wherein the levels of both CA125 and Cln101 are determined.

Claim 23 (canceled)

Claim 24 (original): An isolated Cln101 antibody that binds to mammalian Cln101 in vivo or in vitro.

Claim 25 (original): The antibody of claim 24 which internalizes upon binding to Cln101 on a mammalian cell in vivo.

Claim 26 (currently amended): The antibody of claim 24 ~~or claim 25~~ which is a monoclonal antibody, an antibody fragment or a chimeric or a humanized antibody.

Claims 27-28 (canceled)

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Claim 29 (original): The antibody of claim 26 which is produced by a hybridoma selected from the group consisting of American Type Culture Collection accession number PTA-5877 and PTA-5876.

Claim 30 (currently amended): The antibody of ~~claim 26~~ claim 24, wherein the antibody competes for binding to the same epitope as the epitope bound by the monoclonal antibody produced by a hybridoma selected from the group consisting of ATCC accession number PTA-5877 and PTA-5876.

Claim 31 (currently amended): The antibody of ~~claim 26~~ claim 24 which is conjugated to a growth inhibitory agent or a cytotoxic agent.

Claim 32-44 (canceled)

Claim 45 (original): A cell that produces the antibody of claim 26.

Claim 46 (original): The cell of claim 45, wherein the cell is selected from the group consisting of hybridoma cells deposited under American Type Culture Collection accession number PTA-5877 and PTA-5876.

Claim 47 (canceled)

Claim 48 (currently amended): A composition comprising the antibody of ~~claim 26 or claim 38~~ claim 24, and a carrier.

Claim 49-50 (canceled)

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Claim 51 (original): The composition of claim 48, wherein the antibody is a human or humanized antibody and the carrier is a pharmaceutical carrier.

Claim 52 (canceled)

Claim 53 (currently amended): A method of killing a Cln101-expressing cancer cell, comprising contacting the cancer cell with the antibody of claim 24 ~~or claim 25~~, thereby killing the cancer cell.

Claim 54-67 (canceled)

Claim 68 (currently amended): The method of ~~claim 64~~ claim 53, wherein the antibody is conjugated to a cytotoxic agent.

Claim 69 (canceled)

Claim 70 (currently amended): The method of ~~claim 69~~ claim 68, wherein the antibody is administered in conjunction with at least one chemotherapeutic agent.

Claims 71-73 (canceled)

Claim 74 (currently amended) : A method for determining if cells in a sample express Cln101 comprising

- (a) contacting a sample of cells with an Cln101 antibody of ~~claim 26~~ claim 24 under conditions suitable for specific binding of the Cln101 antibody to Cln101 and

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(b) determining the level of binding of the antibody to cells in the sample, or the level of Cln101 antibody internalization by cells in said sample, wherein Cln101 antibody binding to cells in the sample or internalization of the Cln101 antibody by cells in the sample indicate cells in the sample express Cln101.

Claim 75 (canceled)

Claim 76 (original): The method of claim 74 wherein said sample of cells is from a subject who has a cancer, is suspected of having a cancer or who may have a predisposition for developing cancer.

Claim 77-83 (canceled)

Claim 84 (currently amended): A method for detecting Cln101 overexpression in a subject in need thereof comprising,

- (a) combining a bodily fluid sample of a subject with an Cln101 antibody of ~~claim 26~~ claim 24 under conditions suitable for specific binding of the Cln101 antibody to Cln101 in said bodily fluid sample
 - (b) determining the level of Cln101 in the bodily fluid sample,
 - (c) comparing the level of Cln101 determined in step b to the level of Cln101 in a control,
- wherein an increase in the level of Cln101 in the bodily fluid sample from the subject as compared to the control is indicative of Cln101 overexpression in the subject.

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Claim 85-88 (canceled)

Claim 89 (original): A screening method for antibodies that bind to an epitope which is bound by an antibody of claim 26 comprising,

- (a) combining an Cln101-containing sample with a test antibody and an antibody of claim 26 to form a mixture,
 - (b) determining the level of Cln101 antibody bound to Cln101 in the mixture and
 - (c) comparing the level of Cln101 antibody bound in the mixture of step (a) to a control mixture,
- wherein the level of Cln101 antibody binding to Cln101 in the mixture as compared to the control is indicative of the test antibody's binding to an epitope that is bound by the anti-Cln101 antibody of claim 26.

Claim 90-94 (canceled).

Claim 95 (new): The kit of claim 20 for diagnosing a patient's susceptibility to prostate cancer further comprising a suitable assay for measuring Prostate Specific Antigen (PSA) levels wherein the levels of both PSA and Cln101 are determined.